IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI SOUTHERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 03-5017-01-CR-S-GAF
)
EDWARD RAIFSNIDER,)
)
Defendant.)

ORDER

Now pending before the Court is defendant's *pro se* Motion to Strike and defendant's *pro se* Motion to Dismiss. On August 23, 2005, United States Magistrate Judge James C. England issued his Report and Recommendation.

Upon careful and independent review of the pending motions, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge James C. England.

Accordingly, it is hereby ORDERED that defendant's Motion to Strike and defendant's Motion to Dismiss are OVERRULED and DENIED.

SO ORDERED.

/s/ Gary A. Fenner
GARY A. FENNER, JUDGE
United States District Court

DATED: September 13, 2005